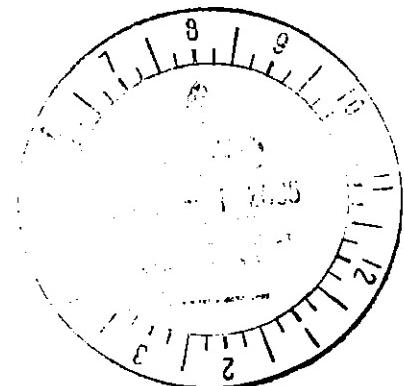


UNITED STATES DISTRICT COURT

Middle District of North Carolina

CESAR HERNANDEZ-VICENTE,)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA,)
Defendant.)

1:05CV592



J-U-D-G-M-E-N-T

On June 30, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff's motion for return of property [Pleading no. 1] be and the same hereby is, **DISMISSED** without prejudice to Plaintiff filing a civil complaint on the proper Motion for Return of Property forms.

[Signature]
UNITED STATES DISTRICT JUDGE

DATE: November 1, 2005